



PUBLISHED BY AUTHORITY

No. 8] NEW DELHI, SATURDAY, FEBRUARY 24, 1951

NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 21st February 1951 :—

S. No.	No. & Date	Issued by	Subject
1	S. R. O. 203, dated the 9th February 1951.	Ministry of Food and Agriculture.	Amendment made in the Notification No. S. R. O. 1138, dated the 28th December, 1950.
2	S. R. O. 204, dated the 10th February 1951.	Ministry of Commerce and Industry.	Further amendment made in the Cotton Textile (Control) Order, 1948.
3	S. R. O. 204(1), dated the 10th February 1951.	Do.	Amendment made in the Textile Commissioner's Notification No. S. R. O. 202, dated the 9th February 1951.
	S. R. O. 204(2), dated the 10th February 1951.	Do.	Amendment made in the Textile Commissioner's Notification No. S. R. O. 201, dated the 9th February 1951.
4	S. R. O. 204(3), dated the 14th February 1951.	Ministry of States.	Employment as Municipal sweepers in Kutch falls under Essential Services (Maintenance) Ordinance, 1941.
	S. R. O. 204(4), dated the 14th February 1951.	Do.	Chief Commissioner, Kutch is authorised to issue direction regarding employment as Municipal sweepers.
	S. R. O. 204(5), dated the 14th February 1951.	Do.	Chief Commissioner, Kutch is authorised to exercise powers of a State Government.
5	S. R. O. 204(6), dated the 15th February 1951.	Ministry of Food and Agriculture.	Further amendment made in the Notification No. S. R. O. 394, dated the 17th August 1950.
6	S. R. O. 204(53), dated the 17th February 1951.	Ministry of Commerce and Industry.	Further amendment made in the Textile Commissioner's Notification No. 80 Tex.1/48(III), dated the 2nd August 1948.
	S. R. O. 204(50), dated the 17th February 1951.	Do.	Further amendments made in the Notification No. 67-C.W.(25A)/48, dated the 28th March 1949.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF LAW

New Delhi, the 14th February 1951

S.R.O. 207.—In exercise of the powers conferred by clause (1) of article 200 of the Constitution, the President hereby directs that the following further amendments shall be made in the notification of the Government of India in the Ministry of Law F. 35-I/50-L, dated the 26th January, 1950, relating to the execution of contracts and assurances of property, namely:—

In Part X of the said notification, under Head C:—

1. After item 1, the following item shall be inserted, namely:—

“2. Bonds and guarantees submitted by importers and exporters in connection with the clearance or export of goods; by the Collectors of Customs or the Assistant Collectors of Customs.”

2. The existing item 2 shall be renumbered as item 3 and in item 3 as so renumbered, for the words and figure “specified in item 1”, the words and figures “specified in items 1 and 2 above” shall be substituted.

[No. F. 35-I/51-L.]

SHRI GOPAL SINGH, Dy. Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 14th February 1951

S.R.O. 208.—The Central Government is pleased to direct that the following further amendments shall be made in the Ministry of Home Affairs' Notification No. 9/33/50-Police(I), dated the 8th June 1950, as subsequently amended by Notification No. 9/33/50-Police(I), dated the 15th September 1950, namely:—

In item (6) of para. 1 of the said notification for the figures “3931” substitute “2931”.

In para. 2 for the words “30th day of November, 1950” substitute the words “30th day of April, 1951”.

[No. 9/33/50-Police(I).]

R. N. PHILIPS, Under Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 13th February 1951

S.R.O. 209.—In exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Indian Emigration Act, 1922 (VII of 1922), the Central Government hereby

- (i) appoints each of the officers mentioned in column (1) of the Schedule annexed hereto, as the Protector of Emigrants for the port shown against him in column (2) of the Schedule, with effect from the date indicated in column (3) thereof; and
- (ii) defines the areas to which the authority of each of these officers shall extend as those specified in column (4) of the Schedule.

THE SCHEDULE

Particulars of Officer	Port at which appointed as Protector of Emigrants	Date from which appointed	Area to which the authority shall extend
(1)	(2)	(3)	(4)
1. Port Officer, Okha	Okha,	30th August 1950	The whole of the States of Saurashtra and Bombay.
2. Port Officer Jamnagar.	Bedi.	30th August 1950	The whole of the State of Saurashtra.
3. Port Officer, Porbandar.	Porbandar.	25th September 1950.	The whole of the State of Saurashtra.

[No. 102-M(L5).]

S. N. HAKSAR,

Cont. Gen. of Emigration & Joint Secy.

MINISTRY OF STATES

New Delhi, the 14th February 1951

S.R.O. 210.—In exercise of the powers conferred by sub-section (1) of section 133 of the Code of Civil Procedure, 1908 (V of 1908), the Central Government hereby exempts the following Rulers from personal appearance in the Civil Courts of the Himachal Pradesh:—

The Raja of Baghal.

The Raja of Baghat.

The Rana of Balsan

The Raja of Bashahr.

The Thakore of Blja.

The Rana of Bhajji.

The Raja of Chamba.

The Rana of Darkoti.

The Thakore of Delath.

The Thakore of Dhadi.

The Raja of Dhami.

The Thakore of Ghund.

The Raja of Jubbal.

The Raja of Keonthal.

The Thakore of Khaneti.

The Rana of Koti.

The Rana of Kumarsain.

The Thakore of Kunihar.

The Rana of Luthar.

The Thakore of Madhan.

The Thakore of Mahlog.

The Raja of Mandi.
 The Rana of Mangal.
 The Thakore of Ratesh.
 The Thakore of Rawingarh.
 The Raja of Sangri.
 The Maharaja of Sirmur.
 The Raja of Sukel.
 The Thakore of Tharoch.
 The Thakore of Theog.

[No. 27-P.]

V. SHANKAR, Joint Secy.

New Delhi, the 15th February 1951

S.R.O. 211.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends to the State of Tripura the West Bengal Collective Fines Act, 1950, (West Bengal Act XXXIX of 1950), subject to the following modifications, namely:—

1. Throughout the Act for the words "the State Government" the words "the Chief Commissioner, Tripura" shall be substituted.
2. For sub-section (2) of section 1, the following shall be substituted, namely:—
 "It shall come into force at once throughout the State of Tripura"
3. In section 2—
 - (i) in sub-section (1) for the words "Official Gazette" the words "Tripura Gazette" shall be substituted.
 - (ii) for sub-section (3), the following shall be substituted, namely:—
 "(3) The District Magistrate of Tripura after such enquiry as he may deem necessary by himself or some other officer deputed for the purpose, shall apportion such fine amongst the inhabitants who are liable collectively to pay it and such appointment shall be made according to the judgment of the District Magistrate of the respective means of such inhabitants."
 - (iii) Clause (a) of the "Explanation" in sub-section (4) shall be omitted:
4. Section 5 shall be omitted.

ANNEXURE

The West Bengal Collective Fines Act, 1950 (West Bengal Act XXXIX of 1950) as amended by Ministry of States Notification No. 31-P., dated the 15th February 1951.

... WEST BENGAL ACT XXXIX OF 1950.

THE WEST BENGAL COLLECTIVE FINES ACT, 1950.

(Passed by the West Bengal Legislature)

(Assent of the Governor was first published in the Calcutta Gazette, Extraordinary, of the 1st November, 1950.)

An act to provide for the imposition of collective fines.

WHEREAS it is expedient to provide for the imposition of collective fines in connection with acts prejudicially affecting the maintenance of public order; It is hereby enacted as follows:—

1. (1) This Act may be called the West Bengal Collective Fines Act, 1950.
- (2) It shall come into force at once throughout the State of Tripura.
2. (1) If it appears to the Chief Commissioner, Tripura that the inhabitants of any area are concerned in or abetting the commission of acts prejudicially affecting the maintenance of public order (which expression "public order" shall, without prejudice to the generality of its meaning, include public safety and communal harmony) or are harbouring persons concerned in the commission of such acts, or are failing to render all the assistance in their power to discover

or apprehend such persons, or are suppressing material evidence of the commission of such acts, the Chief Commissioner, Tripura, may, by notification in the Tripura Gazette, impose a collective fine on the inhabitants of that area.

(2) The Chief Commissioner, Tripura, or any officer empowered in this behalf by the Chief Commissioner, Tripura, may, by general or special order, exempt any person or class or section of such inhabitants from liability to pay the whole or any part of the fine apportioned to them.

(3) The District Magistrate of Tripura after such enquiry as he may deem necessary by himself or some other officer deputed for the purpose, shall apportion such fine amongst the inhabitants who are liable collectively to pay it and such apportionment shall be made according to the judgment of the District Magistrate of the respective means of such inhabitants.

(4) The portion of such fine payable by any person may be recovered—

(a) in the manner provided by the Code of Criminal Procedure, 1898, for the recovery of fines imposed by a Court:

Provided that the Chief Commissioner, Tripura, may, in lieu of the rules referred to in sub-section (2) of section 386 of the Code of Criminal Procedure, 1898, make rules under this Act regulating the manner in which warrants under clause (a) of sub-section (1) of the said section of the said Code are to be executed, and for the summary determination of any claims made by any person other than the person liable to pay the fine in respect of any property attached in execution of the warrant; or

(b) as arrears of land revenue.

Explanation.—For the purposes of this section the expression “inhabitants of an area” includes persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area, and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area, notwithstanding that they do not actually reside therein.

3. No suit, prosecution or other legal proceedings whatsoever shall lie against any person for or in respect of anything which is in good faith done or intended to be done under this Act.

4. The Chief Commissioner, Tripura, may make rules for carrying out the purposes of this Act.

[No. 31-P.]

C. GANESAN, Dy. Secy.

MINISTRY OF FINANCE (COMMUNICATIONS)

New Delhi, the 9th February 1951

S.R.O. 212.—The President hereby directs that the following further amendments shall be made in the Rules for the guidance of depositors in Post Office Savings Banks, namely:—

In the said Rules—

(1) In rule 12, for the words “Cash Certificates”, the words “National Savings Certificates” shall be substituted.

(2) In the Note below rule 15, in clause (b) for the words “Cash Certificates” the words “National Savings Certificates” shall be substituted.

[No. 613-C.I./51.]

R. NARAYANASWAMI, Joint Secy.

MINISTRY OF FINANCE (REVENUE DIVISION)

STAMPS

New Delhi, the 20th February 1951

S.R.O. 213.—In exercise of the powers conferred by clause (a) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Central Government hereby remit retrospectively the stamp duty charged on the sale deed dated the 19th December

1949, executed in favour of the Embassy of the United States of America in India in respect of the property situated at No. 1, Bhagwandas Road.

[No. 2.]

W. SALDANHA, Under Secy.

CUSTOMS

New Delhi, the 24th February 1951

S.R.O. 214.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby exempts fire-bricks imported into India from the Customs duty leviable thereon.

[No. 21.]

S.R.O. 215.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the late Finance Department (Central Revenues) No. 1-Customs, dated the 9th March 1946, namely:—

In the Schedule to the said notification, in column 2 against Serial No. 13 for the words "ink and black paint" the words "ink, black paint and rubber tyres" shall be substituted.

[No. 22.]

K R. P. AIYANGAR, Joint Secy.

CUSTOMS

New Delhi, the 24th February 1951

S.R.O. 216.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby exempts fish-plates, dogspikes, chair-spikes, screw-spikes, bolts (including fish bolts), nuts, rivets and wire ropes exported from India from the customs duty leviable thereon.

[No. 23.]

D P. ANAND, Dy. Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 13th February 1951

S.R.O. 217.—In pursuance of sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue directs that the following further amendments shall be made in the schedule appended to its notification No. 32-Income-tax, dated the 9th November, 1946, namely:—

In the said schedule—

Under the sub-head 'III-B Bombay South'—

- (a) After the entry '(3) Ahmednagar' under Poona Range, the entry '(4) Special Survey Circle (in respect of persons who have their principal place of business in or reside in Poona City, Poona District and Ahmednagar only)' shall be added;
- (b) After the entry '(5) Sholapur' under Kolhapur Range, the entry '(6) Special Survey Circle (in respect of persons who have their principal place of business in or reside in Kolhapur, Satara South, Satara North, Kolaba and Ratnagiri Districts and Sholapur only)' shall be added; and
- (c) After the entry '(3) Bijapur' under Belgaum Range, the entry '(4) Special Survey Circle (in respect of persons who have their principal place of business in or reside in Belgaum, Dharwar and Bijapur only)' shall be added.

[No. 15.]

New Delhi, the 20th February 1951

S.O. 218.—In pursuance of sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), and in partial modification of its notification No. 32-Income-tax, dated the 9th November 1946, the Central Board of Revenue directs that the Appellate Assistant Commissioner of Income-Tax, E. Range, Calcutta shall also and the Appellate Assistant Commissioner of Income-tax, Dibrugarh, shall not perform his functions in respect of Mangal Chand Gobordhandas, of P. O. Tinsukia, Assam for his Income-tax Appeal No. 38/L/47-48 for the assessment year 1945-46.

[No. 17.]

EXCESS PROFIT TAX

New Delhi, the 20th February 1951

S.R.O. 219.—In pursuance of sub-section (3) of section 3 of the Excess Profits Tax Act, 1940 (XV of 1940), and in partial modification of its notification No. 6-Excess Profit Tax, dated the 8th March 1947, the Central Board of Revenue directs that the Appellate Assistant Commissioner of Excess Profits Tax, E. Range Calcutta shall also and the Appellate Assistant Commissioner of Excess Profits Tax, Dibrugarh, shall not, perform his functions in respect of appeal No. 7/L/E.P.T/47-48, filed by Mangalchand Gobordhandas, P. O. Tinsukia, Assam, against assessment for the Chargeable Accounting Period ended 19th April 1945.

[No. 16.]

PYARE LAL, Secy.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 15th February 1951

S.R.O. 220.—In exercise of the powers conferred by section 22 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), the Central Government hereby directs that the powers conferred on it by clause (a) of section 13 of the said Act, shall, subject to any general or special order of the Central Government, be exercisable in the Patiala and East Punjab States Union also by the authorities specified in column (1) of the Schedule hereto annexed within their respective jurisdictions in respect of the goods specified in the corresponding entry in column (2) of the said Schedule.

THE SCHEDULE

Authorities (1)	Goods (2)
Director of Civil Supplies	Soda ash, bicycles, bicycle parts and accessories, cycle tyres and tubes, electric bulbs, infants' foods (Glaxo, Horlicks, Cow and Gate Milk and Oster-milk).
All District Magistrates	All goods to which the Act applies.

ORDER

ORDERED that a copy of the above Notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir), all Chief Commissioners of Part C States including Andaman and Nicobar Islands, all Ministries of the Government of India, Cabinet Secretariat, Prime Minister's Secretariat, Secretary to the President, the Indian Trade Commissioners, all Indian Embassies, the High Commissioner for India, London, His Majesty's Trade Commissioner in India, all Chambers of Commerce and Associations, the Director General of Commercial Intelligence and Statistics, Calcutta, the High Commissioner for India in Pakistan, Karachi, the High Commissioner for Pakistan in India, New Delhi, the Secretary, Indian Tariff Board and the Secretary, Planning Commission.

ORDERED also that it be published in the *Gazette of India*.

[No. PC-2(14)/50]

S.R.O. 221.—In exercise of the powers conferred by section 4 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the late Ministry of Industry and Supply No. S.R.O. 500, dated the 2nd September 1950, namely:—

After the proviso to sub-clause (i) of clause (b) of the said notification the following further proviso shall be added:—

“Provided further that where the actual consumption in the previous three months has been below the normal consumption, a quantity sufficient to meet the actual requirements may be sold on the production of a certificate to that effect by the officer-in-charge of the institution.”

ORDER

ORDERED that a copy of the above Notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir), all Chief Commissioners of Part C States including Andaman and Nicobar Islands, all Ministries of the Government of India, Cabinet Secretariat, Prime Minister's Secretariat, Secretary to the President, the Indian Trade Commissioners, all Indian Embassies, the High Commissioner for India, London, His Majesty's Trade Commissioner in India, all Chambers of Commerce and Associations, the Director General of Commercial Intelligence and Statistics, Calcutta, the High Commissioner for India in Pakistan, Karachi, the High Commissioner for Pakistan in India, New Delhi, the Secretary, Indian Tariff Board and the Secretary, Planning Commission.

ORDERED also that it be published in the *Gazette of India*.

[No. PC-4(1)/50.]

New Delhi, the 16th February 1951

S.R.O. 222.—In exercise of the powers conferred by sections 13 and 19 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), and all other powers enabling it in this behalf, the Central Government hereby directs that the following amendments shall be made to the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 167, dated the 1st February 1951, namely:—

In the said notification:—

(1) In clause (a), for the words “Secretary to the Government of India in the Ministry of Commerce and Industry or any officer authorised by him in writing in this behalf” the words “Central Government or any officer authorised by it in this behalf” shall be substituted.

(2) In clause (b), for the word “Secretary” in both the places where it occurs the words and brackets “Deputy Development Officer (Chemicals)” shall be substituted.

ORDER

ORDERED that a copy of the above notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir); all Chief Commissioners of Part C States including Andaman and Nicobar Islands; all Ministries of the Government of India; Cabinet Secretariat; Prime Minister's Secretariat; Secretary to the President; the Indian Trade Commissioners; all Indian Embassies; the High Commissioner for India, London; His Majesty's Trade Commissioner in India; all Chambers of Commerce and Associations; the Director General of Commercial Intelligence and Statistics, Calcutta; the High Commissioner for India in Pakistan, Karachi; the High Commissioner for Pakistan, in India, New Delhi; the Secretary, Indian Tariff Board and the Secretary, Planning Commission.

ORDERED also that it be published in the *Gazette of India*.

[No. PC-18(1)/51.]

S.R.O. 223.—In exercise of the powers conferred by section 26 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), the Central Government hereby directs that the following amendment shall be made in the Sulphur Stock (Regulation) Rules 1951, namely:—

In Rule 2 of the said Rules, for the words “Secretary to the Government of India in the” the words and brackets “Deputy Development Officer (Chemicals),” shall be substituted.

ORDER

ORDERED that a copy of the above notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir); all Chief Commissioners

of Part C States including Andaman and Nicobar Islands; all Ministries of the Government of India; Cabinet Secretariat; Prime Minister's Secretariat; Secretary to the President; the Indian Trade Commissioners; all Indian Embassies; the High Commissioner for India, London; His Majesty's Trade Commissioner in India; all Chambers of Commerce and Associations; the Director General of Commercial Intelligence and Statistics, Calcutta; the High Commissioner for India in Pakistan, Karachi; the High Commissioner for Pakistan, in India, New Delhi; the Secretary, Indian Tariff Board and the Secretary, Planning Commission.

ORDERED also that it be published in the *Gazette of India*.

[No. PC-18(1)/51.]

S.R.O. 224.—In pursuance of section 7 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), the Central Government hereby directs that the following amendment shall be made to the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 166, dated the 1st February 1951, namely:—

In the said notification for the words "Secretary to the Government of India" the words and brackets "Deputy Development Officer (Chemicals)" shall be substituted.

ORDER

ORDERED that a copy of the above notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir); all Chief Commissioners of Part C States including Andaman and Nicobar Islands; all Ministries of the Government of India; Cabinet Secretariat; Prime Minister's Secretariat; Secretary to the President; the Indian Trade Commissioners; all Indian Embassies; the High Commissioner for India, London; His Majesty's Trade Commissioner in India; all Chambers of Commerce and Associations; the Director General of Commercial Intelligence and Statistics, Calcutta; the High Commissioner for India in Pakistan, Karachi; the High Commissioner for Pakistan, in India, New Delhi; the Secretary, Indian Tariff Board and the Secretary, Planning Commission.

ORDERED also that it be published in the *Gazette of India*.

[No. PC-18(1)/51.]

S.R.O. 225.—In exercise of the powers conferred by clause (a) of the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 167, dated the 1st February 1951, the Central Government hereby authorises the Deputy Development Officer (Chemicals) attached to the Ministry of Commerce and Industry to issue a general or special authority to a dealer for the sale or disposal of sulphur.

[No. PC-18(1)/51.]

S.R.O. 226.—In exercise of the powers conferred by section 4 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the late Ministry of Industry and Supply No. S.R.O. 66, dated the 15th January, 1951, namely:—

In the Schedule annexed to the said notification in the entry in column 3 against each of items 1 and 3 for clause (a) the following clause shall be substituted, namely:—

"(a) actual railway freight by goods train from any of the localities specified in column 2 to the place of destination, and"

ORDER

ORDERED that a copy of the above Notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir), all Chief Commissioners of Part C States including Andaman and Nicobar Islands, all Ministries of the Government of India, Cabinet Secretariat, Prime Minister's Secretariat, Secretary to the President, the Indian Trade Commissioners, all Indian Embassies, the High Commissioner for India, London, His Majesty's Trade Commissioner in India, all Chambers of Commerce and Associations, the Director General of Commercial Intelligence and Statistics, Calcutta, the High Commissioner for India in Pakistan, Karachi, the High Commissioner for Pakistan in India, New Delhi, the Secretary, Indian Tariff Board and the Secretary, Planning Commission.

ORDERED also that it be published in the *Gazette of India*.

[No. PC-7(2)/50.]

P. S. SUNDARAM, Under Secy.

TRADE MARKS

New Delhi, the 19th February 1951

S.R.O. 227.—In pursuance of sub-rule (3) of rule 138 of the Trade Marks Rules 1942, it is hereby notified that in exercise of the powers conferred by clause (a) of sub-rule (1) of the said rule the Central Government has removed from the Agents' Register the name of Mr. Harry Godfrey.

[No. 118(2) Misc(TM)/51]

C. R. NATESAN, Dy. Secy.

MERCHANDISE MARKS

New Delhi, the 24th February 1951

S.R.O. 228.—The following draft of a notification, which it is proposed to make in exercise of the powers conferred by sub-section (1) of section 12A of the Indian Merchandise Marks Act, 1889 (IV of 1889) is published as required by sub-section (4) of the said section for the information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after the 17th March 1951:—

DRAFT NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 12A of the Indian Merchandise Marks Act, 1889 (IV of 1889), and in supersession of the notification of the Central Government in the late Ministry of Commerce, No. S. R. O. 486, dated the 2nd September 1950, the Central Government, being convinced on enquiry that it is necessary in the public interest so to do, directs as follows:—

1. (a) Subject to the provisions of sub-section (5) of the said section, the classes of goods specified in column 2 of the schedule hereto annexed shall on and after the 1st January, 1952, on importation (where the goods are imported) and at the time of sale, whether by wholesale or retail, have applied to them in the English language an indication of the country in which they were made or produced, in the manner specified in the corresponding entry in column 3 of the said schedule.

(b) Where such goods are made or produced in one country and packed in containers made or produced in another, the indication shall specify such countries.

(c) Where such goods are partly or wholly made or produced in one country and partly made or produced or finished or processed or embellished or completed in another country or other countries the indication if expressed as "Made abroad" or "Foreign Made" or "Manufacture of different countries outside India" shall be deemed to be sufficient for the purposes of this notification.

(d) Where such goods are produced in a foreign country but processed or embellished in India, the country of origin and the words "Processed in India" should be indicated.

2. Where due to the smallness of the size of the goods or otherwise it is impracticable to mark the country of origin on the goods themselves, or where it is not possible to do so without adversely affecting the quality of the goods or without undue expenditure, the indication may be applied on the wrapper, container or label attached.

3. In this notification—

- (a) the expression "covering" or "container" includes a wrapper, cover, band, packet, box, carton, capsule, stopper, cork, top, frame, case, tin, can, phial, bottle, jar, vessel or any other covering or container in or with which the goods of any class specified in the schedule are imported, sold or exposed for sale;
- (b) "label" includes any ticket, band, card or tag;
- (c) "applied" includes attached, enclosed, annexed, inserted, secured, fastened, stitched or sewn.

SCHEDULE

Part I

Goods made or produced outside India and the State of Jammu and Kashmir and imported into India

Item No.	Class of goods	Manner in which the indication shall be applied
(1)	(2)	(3)
1	(a) Apparatuses and appliances electric and all kinds, assembled	(a) On the goods themselves
	(b) Parts, spare parts and accessories of apparatuses and appliances, electric and all kinds	(b) On the containers or coverings, or otherwise.
2	Glass bulbs and gloves including electric incandescent bulbs	On the goods themselves
3	Electric cells and batteries of all kinds including primary batteries for dry cells, flash lamps, torch type, motor car batteries, and also plates for motor vehicle batteries	Ditto
4	Fountain pen barrels . .	Ditto
5	Chemicals, drugs, medicines and pharmaceutical products of all kinds	On the containers or coverings
6	Cigarettes	Ditto
7	Fents .	On the goods themselves
8	Lanterns and lamps of all kinds including electric torches and flashlights and automobile lamps	On the goods themselves.
9	(a) Machinery of all kinds, assembled	Ditto
	(b) Parts, spare parts and accessories of machinery of all kinds	On the containers or coverings, or otherwise
10	Piecegoods of cotton, silk, artificial silk staple fibre yarn and wool including mixture piece goods, i.e., piece goods made out of different kinds of yarns, or piece goods made out of yarns spun out of mixture of different kinds of textile fibre.	On the goods themselves
11	Stationery goods, all kinds	On the containers or coverings, or otherwise
12	Tiles of all kinds . .	On the goods themselves
13	Manufactures of woods . . .	Ditto
14	Toilet preparations of all kinds including soaps	On the containers or coverings.
15	(a) Wood and timber, in logs	(a) On the goods themselves.
	(b) Wood and timber in pieces, planks or scantlings	(b) On the bundles, or otherwise
16	Yarns of cotton, silk, artificial silk staple fibres and wool, including yarn spun out of mixture with one or more kinds of textile fibres, as well as yarns consisting of strands of different kinds of yarn combined by the process of doubling or twisting,	On the Bundles
17	Iron ingots On the goods themselves.

Part II

Goods made or produced within India

Item No. (1)	Class of goods (2)	Manner in which the indication shall be applied. (3)
1	Cigarettes	On the containers or coverings.
2	Cotton piecegoods excepting Handloom cloth	On the goods themselves.
3	Primary and secondary batteries of all kinds such as dry cells for flash lights, radios, etc., and storage batteries of the motor vehicle, train lighting and stationery types and also plates for motor vehicle batteries.	On the goods themselves.
4	Yarn of cotton, silk, artificial silk, staple fibre and wool, including yarn spun out of mixture with one or more kinds of textile fibres, as well as yarn consisting of strands of different kinds of yarn combined by the process of doubling or twisting.	On bundles.
5	Chemicals, drugs, medicines and pharmaceutical products of all kinds.	On the containers or coverings.
6	Toilet preparations of all kinds, including soaps	Ditto.

[No. 301(5)-Tr.(MM)/48.]

A. S. LALL, Joint Secy.

Bombay, the 24th February 1951

S.R.O. 229.—In pursuance of sub-clause (e) of Clause 2 of the Cotton Textiles (Control of Movement) Order, 1948 I hereby direct that the following further amendment shall be made in the Textile Commissioner's Notification No. 15-**Tex.** 1/49(ii), dated the 25th March, 1950, namely:—

In the table appended to the said notification, for entries Nos. 3 and 4 the following shall be substituted:—

- "3. Shri M. R. Row, Deputy Director, Office of the Textile Commissioner, Bombay. All Zones.
4. Shri H. S. Dhir, Assistant Director, Branch Office of the Textile Commissioner, Ahmedabad. Bombay."

[No. 15-CT/51-2]

T. P. BARAT,
Textile Commissioner.

S. A. TECKCHANDANI, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

New Delhi, the 24th February 1951

S.R.O. 230.—In exercise of the powers conferred by clause 2(a) of Vegetable Oil Products Control Order 1947 as subsequently amended *vide* Ministry of Agriculture Notification No. 2-VP(2)/48, dated the 9th October, 1948, the Vegetable Oil Products Controller for India is hereby pleased to confer upon the officers specified in Col. 2 of the schedule hereto annexed in respect of their respective jurisdiction

in the State mentioned in Column 1, the powers of the Controller under clause 8-A of the said Order.

THE SCHEDULE

State	Designation of authority.
(1)	(2)
Madras ...	1. District Collectors.
Himachal ...	1. Director of Civil Supplies.
Pradesh	2. District Magistrates.

[No. 2-VP(2)/51.]

N. T. MONE,

Vegetable Oil Products Controller for India.

MINISTRY OF HEALTH

New Delhi, the 14th February 1951

S.R.O. 231.—The following draft of certain amendments to the Drugs Rules, 1945, which it is proposed to make in exercise of the powers conferred by sections 12 and 33 of the Drugs Act, 1940 (XXIII of 1940), is published as required by the said sections for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 17th May, 1951.

2. Any objections or suggestions which may be received from any person in respect of the said draft before the date specified will be considered by the Central Government.

DRAFT AMENDMENTS

A. In the said Rules:—

I. In rule 2—

(a) for clause “(f)” the following clause shall be substituted, namely:—

“(f) ‘Retail Sale’ means a sale other than a sale by way of wholesale dealing”.

(b) Clause “(g)” shall be relettered as clause (h); and before clause (h) as so relettered the following clause shall be inserted, namely:—

“(g) ‘Sale by way of wholesale dealing’ means sale to a person for the purpose of selling again and includes sale to a hospital, dispensary, medical, educational or research institution and to a registered medical practitioner for supply to his own patients.”;

II. In sub-rule (1) of rule 37 the brackets and figure (1) shall be omitted; and sub-rule (2) shall be omitted.

III. To rule 74, the following clause shall be added, namely:—

“(e) The licensee shall either (i) provide and maintain to the satisfaction of the licensing authority adequate staff and adequate laboratory facilities for carrying out such tests of the strength, quality and purity of the substances manufactured by him as may be required under the provisions of these rules or (ii) make arrangements with some institution approved of by the licensing authority for such tests to be carried out regularly on his behalf by that institution.”

IV. In rule 100—

(a) In clause (a) of the proviso to sub-rule (2) after the words “British Pharmaceutical Codex” the words, “or in any other prescribed pharmacopoeia” shall be inserted;

(b) For sub-rule (3) the following shall be substituted, namely:—“(3) Notwithstanding anything contained in the foregoing sub-rules in the case of a preparation included in the British Pharmacopoeia or the British Pharmaceutical Codex, or in any other prescribed pharmacopoeia, or any dilution or admixture of such preparation or an surgical dressing for which a standard is prescribed in the British Pharmaceutical Codex, it shall be sufficient, to state the name synonym or abbreviated name used to describe the preparation or surgical dressing in the British Pharmacopoeia or the British Pharmaceutical Codex, or in any other prescribed pharmacopoeia, with

the addition of the letters "B.P.", or "B.P.C." or such letters as may be recognised abbreviations for other prescribed pharmacopoeias as the case may be."

V. For sub-rule (5) of rule 101, the following sub-rule shall be substituted, namely:—

"(5) In the case of a preparation included in the British Pharmacopoeia or the British Pharmaceutical Codex or in any other prescribed pharmacopoeia or any dilution or admixture of such a preparation or a surgical dressing for which a standard is prescribed in the British Pharmaceutical Codex, if the container is labelled with the name used to describe the article in the British Pharmacopoeia or the British Pharmaceutical Codex or in any other prescribed pharmacopoeia with the addition of letters "B.P.", or "B.P.C." or such letters as may be recognised abbreviations for other prescribed pharmacopoeias, it shall not be necessary to state on the label the quantity of alcohol or the proportion of the substance specified in Schedule B contained in the preparation."

VI. In rule 102, the words and figures "and tested for sterility by the processes prescribed by Rules under the Drugs Act, 1940" shall be omitted.

VII. For rule 104, the following rule shall be substituted, namely:—

"104. *Use of letters B.P., B.P.C., etc.*—The letters B.P., B.P.C. and other recognised abbreviations shall be entered on the label on a drug only for the purpose of indicating that the drug is in accordance with the standard set out in the British Pharmacopoeia, the British Pharmaceutical Codex or any other prescribed pharmacopoeia as the case may be."

B. In the Schedules annexed to the said Rules—

I. In Schedule A—

(a) In Form 3, for paragraph 4 the following paragraph shall be substituted, namely:—

"4. A fee of rupees fifty has been credited to Government under the head of account "XXVII—Medical—Miscellaneous—Fees under the Drugs Rules, 1945—Central"—*vide* treasury receipt attached."

(b) In Form 6 the following paragraph shall be added, namely:—

"2. A fee of rupees fifty has been credited to Government under the head of account "XXVII—Medical—Miscellaneous—Fees under the Drugs Rules, 1945—Central"—*vide* treasury receipt attached".

(c) At the end of Form 8 the following shall be added, namely:—

"A fee of rupees ten has been credited to Government under the head of account "XXVII—Medical—Miscellaneous—Fees under the Drugs Rules, 1945—Central"—*vide* treasury receipt attached".

(d) In Form 14-A, after item 6 the following items shall be inserted, namely:—

"7. A fee of rupees ——— *vide* Schedule B to the Drugs Rules, 1945, has been credited to Government under the head of account "XXVII—Medical—Miscellaneous—Fees under the Drugs Rules, 1945—Central"—*vide* treasury receipt attached".

(e) In Form 19, after item 4 the following item shall be inserted, namely:—

"5. A fee of rupees five/ten has been credited to Government under the head of account "XXVII—Medical—Miscellaneous—Fees under the Drugs Rules, 1945—Central"—*vide* treasury receipt attached".

(f) For Form 21 the following shall be substituted, namely:—

"FORM 21

[See rule 61 (2)]

Licence to sell, stock and exhibit for sale and distribute, biological and special products specified in Schedule C.

..... is hereby licensed to sell, stock and exhibit for sale and distribute on the premises situated at the following drugs being drugs specified in Schedule C to the Drugs Rules, 1945.

Names of drugs.

2. This licence will be in force for two years from the date given below.....

3. Name(s) of qualified person(s) in charge

4. The licence is subject to the conditions stated below and to the provisions of the Drugs Act, 1940 and the rules thereunder.

Date

Licensing Authority.

Conditions of licence

This licence shall be displayed in a prominent place in a part of the premises open to the public.

2. The licensee shall report forthwith to the licensing authority any change in the qualified staff in charge.

3. No drug to which this licence applies shall be sold unless the precautions necessary for preserving the properties of the contents have been observed throughout the period during which it has been in the possession of the licensee.

4. If the licensee wants to sell, stock, exhibit for sale or distribute, during the currency of the licence additional products specified in Schedule 'C' but not included in this licence, he should apply to the Licensing Authority for the necessary permission. This licence will be deemed to extend to the products in respect of which such permission is given. This permission should be endorsed on the licence by the Licensing Authority."

***If the licence is required for wholesale dealings only delete and enter the word 'wholesale'.

(g) In Form 24, after item 3 the following item shall be inserted, namely:—

"4. A fee of rupees twenty has been credited to Government under the head of account "XXVII-Medical-Miscellaneous-Fees under the Drugs Rules, 1945-Central"-vide treasury receipt attached."

(h) In Form 27, after paragraph 3 the following paragraph shall be inserted, namely:—

"4. A fee of rupees twenty and an inspection fee of rupees one hundred have
An inspection fee of rupees thirty has

been credited to Government under the head of account "XXVII- Medical-Miscellaneous-Fees under the Drugs Rules, 1945-Central"-vide treasury receipt attached."

II. In Schedule E—

(a) To the entry "Creosote from wood" the following shall be added, namely:—

"except substances containing less than 50 per cent. of creosote".

(b) To the entry relating to Phenols, the following shall be added, namely:—

"except medicines with less than 1 per cent of Phenol, nasal sprays, mouthwashes, pastilles, lozenges, capsules, pessaries, ointments or suppositories containing less than 2.5 per cent of phenol".

(c) An asterisk shall be inserted against each of the following entries and the foot-note "This item is also subject to the provisions of the Dangerous Drugs Act, 1930", shall be added:—

Acetyldihydrocodeinone	Dihydromorphine
Benzoyl morphine	Dihydromorphinone
Benzyl morphine	Ecgonine
Coca	Ethylmorphine
Cocaine	Morphine
Codeine	Thebaine
Diamorphine	Cannabis
Dihydrocodeinone	Opium
Dihydroxycodeinone	Pethidine Hydrochloride

III. In Schedule F—

In part I under the heading "(B)—Provisions applicable to the production of Vaccine Lymph (Vaccinia Vaccine)" for sub clauses (a) and (b) of (3) of rule 4 the following shall be substituted, namely:—

"(3) (a) Immediately before the Vaccinal material is collected, the animal should be killed. Subsequently, a thorough post-mortem examination of the carcass shall be made by a qualified expert. A complete record of each such examination shall be kept and shall be open to inspection by or on behalf of the licensing authority at any time. If the examination reveals and conditions which indicate or suggest that the animal was suffering from any communicable disease (other than vaccinia) the lymph obtained from that animal shall not be issued; or

(b) When it is decided that post-mortem examination is not to be carried out, the animal shall not be killed, but shall be kept under observation for a period of at least forty-eight hours after collection of lymph. If during this period the examination reveals any conditions which indicate or suggest that the animal is suffering from any infection other than vaccinia the lymph obtained from the animal shall not be issued."

IV. In Schedule J—

- (a) after the entry "Infantile Paralysis" the entry "Insanity" shall be inserted; and
(b) the entry "Lunacy"—shall be omitted.

[No. F.1-53/47-D.]

New Delhi, the 16th February 1951

S.R.O. 232.—It is hereby notified for general information that under clause (ix) of sub-section (2) of section 5 of the Drugs Act, 1940 (XXIII of 1940), the Central Government has nominated Dr. H. R. Nanji, B.Sc., Ph.D. (Lond.), F.R.I.C., Director, Manufacturing and Analytical Research Chemists Ltd., General Assurance Building, 232, Hornby Road, Bombay—1, to be a member of the Drugs Technical Advisory Board with effect from the 18th February, 1951.

[No. F. 4-6/50-D.(1)]

S.R.O. 233.—It is hereby notified for general information that under clause (viii) of sub-section (2) of section 5 of the Drugs Act, 1940 (XXIII of 1940), the undermentioned persons have been elected by the Medical Council of India as members of the Drugs Technical Advisory Board with effect from the 13th January, 1951:

- (1) Dr. B. N. Ghosh, M.B.E., L.M.S., F.R.F.P.S., I.M., R. G. Kar Medical College, Pharmacological Department, Calcutta.
- (2) Dr. B. N. Prasad, F.R.S.E., Ph.D., M.Sc., M.S., D.T.M., Professor of Pharmacology, Prince of Wales Medical College, Patna.
- (3) Dr. Balabhadra Misro, M.B., B.S., 'Brojobandhu Bhavan', Park Street, P.O. Berhampore, District Ganjam (Orissa).

[No. F.4 6/50-D(2).]

New Delhi, the 20th February 1951

S.R.O. 234.—In exercise of the powers conferred by article 239(1) of the Constitution the President hereby directs that the powers of the State Government under the Pharmacy Act, 1948 (VIII of 1948), shall be exercised in the States of Bhopal, Bilaspur, Himachal Pradesh, Kutch, Tripura and Vindhya Pradesh by the Chief Commissioners of the respective State.

[No. F. 1-8/50-DS.]

J. N. SAKSENA, Under Secy.

MINISTRY OF TRANSPORT

PORTS

New Delhi, the 16th February 1951

S.R.O. 235.—In exercise of the powers conferred by sub-section (1) of section 35 of the Indian Ports Act, 1908 (XV of 1908), the Central Government hereby directs that with effect from the 26th March 1951 the following further amendment shall be made in the notification of the Government of India in the late War Transport Department No. 11-P(95)/42, dated the 5th March 1943 regarding charges at the port of Cochin for the port launches, when engaged in the assistance of vessels in distress within the limits of the port, namely:—

AMENDMENT

In the said notification, after note 3, the following note shall be added:—

"NOTE 4.—"Period of hire" means the period commencing from the time the launch leaves her moorings or previous duty whichever is later, to the time she returns to her moorings or attends subsequent duty whichever is earlier."

[No. 6-PII(6)/51.]

S.R.O. 236.—The following draft of a further amendment to the rules regarding charges at the port of Cochin for the hire of port craft, plant and appliances published with the notification of the Government of India in the late

Department of Communications No. 11-P(53)/41, dated the 29th January, 1942, which it is proposed to make, in exercise of the powers conferred by clause (j) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908), is published for the information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after the 26th March 1951 as required by sub-section (2) of the said section.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

DRAFT AMENDMENT

In the said notification for rule 5 the following shall be substituted:

"5. For the purpose of these rules—

- (a) "day" means the period from 6 a.m. to 6 p.m. and "night" means the period from 6 p.m. to 6 a.m.
- (b) "period of hire" in the case of floating craft means the period from the time the floating craft leaves her moorings or previous duty whichever is later, to the time she returns to her moorings or attends subsequent duty, whichever is earlier. In the case of port craft, plant, etc. other than floating craft, the period of hire shall be reckoned from the time the plant is made available to the hirer till it is actually returned to the port".

[No. 6-P.II(6)/51.]

S.R.O. 237.—The following draft of a further amendment to the rules regarding the rates to be paid for the use at the Port of Cochin of the tug "Cochin" published with the notification of the Government of Madras in the Finance (Marine) Department No. 17, dated the 20th February, 1934, which it is proposed to make, in exercise of the powers conferred by clause (j) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908), is published for the information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after the 26th March 1951 as required by sub-section (2) of the said section.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

DRAFT AMENDMENTS

1. To rule 2 of the said rules, the following proviso shall be added:

"Provided that charges at the rates prescribed for night hire shall be levied for every hour or part thereof which extends over both day and night".

2. After rule 3, the following rule shall be added:—

"4. For the purpose of these rules—

- (a) "Period of hire" means the period commencing from the time the tug leaves her moorings or previous duty whichever is later, to the time she returns to her moorings or attends subsequent duty whichever is earlier.
- (b) "Day" means the period from 6 a.m. to 6 p.m. and "night" means the period from 6 p.m. to 6 a.m.

[No. 6-P.II(6)/51.]

S.R.O. 238.—In exercise of the powers conferred by sections 4 and 6 of the Madras Outports Landing and Shipping Fees Act, 1885 (Madras Act III of 1885), the Central Government hereby directs that with effect from 26th March, 1951, the following further amendment shall be made in the Schedule of Landing and Shipping Fees and Wharfrage, published with the notification of the Government of India in the Ministry of Transport, No. 11-P(90)/47, dated the 23rd December, 1947, relating to the fees levied on goods landed from or shipped into any vessel lying or being within the limits of the Port of Cochin, namely:—

In the said Schedule, in Section "X—Conveyances, including Aeroplanes, Boats, and small floating craft, appliances and accessories", for the existing item E and the entries relating thereto the following shall be substituted, namely:—

"E. Motor cars, lorries trucks, tractors and other
motor vehicles.

each Rs. 24 Rs. 24."

[No. 6-P.II(9)/51]

New Delhi, the 17th February 1951

S.R.O. 239.—In exercise of the powers conferred by sub-section (1) of section 13 of the Bombay Port Trust Act, 1879, (Bombay Act VI of 1879), the Central Government hereby appoints Commodore R. M. T. Taylor, R.N., the Commodore-in-Charge, Bombay, to be a member of the Board of Trustees of the Port of Bombay, vice Commodore H. R. Inigo-Jones, C.I.E., R.N., resigned.

[No. 8-PI(120)/50.]

T. S. PARASURAMAN, Dy. Secy.

MINISTRY OF RAILWAYS (Railway Board)

New Delhi, the 15th February 1951

S.R.O. 240.—Whereas in the notification of the Government of India in the late Railway Department (Railway Board) No. 1078-T, dated the 9th March 1929, general rules were made for all railways in British India administered by the Government and for the time being used for the public carriage of passengers, animals or goods;

And whereas the said rules were adopted by the Companies administering the railways specified in the first column of the Schedule hereto annexed, with the sanction of the Railway Board conveyed in the notifications specified in the corresponding entries of the second column thereof:

And whereas in the notification of the Government of India in the Ministry of Railways (Railway Board) No. 809-TG, dated the 26th November, 1949, published in the *Gazette of India*, Part I, Section 1, dated 3rd December, 1949, a certain amendment was made in the said rules.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 47 of the Indian Railways Act, 1890 (IX of 1890), and by the notification of the Government of India in the late Department of Commerce and Industry, No. 801, dated the 24th March, 1905, the Railway Board hereby sanctions the making of the said amendment in the said rules as adopted by the said Companies.

SCHEDULE

Railways	Notifications
(1) Howrah Amta Light Railway.	No. 1078-T, dated the 26th June, 1929.
(2) Shahdara Saharanpur Light Railway.	No. 1078-T, dated the 26th June, 1929.
(3) Arrah Sasaram Light Railway.	No. 1078-T, dated the 26th June, 1929.
(4) Futwah Islampur Light Railway.	No. 1078-T, dated the 26th June, 1929.
(5) Howrah Sheakhala Light Railway.	No. 1078-T, dated the 26th June, 1929.

[No. 809-TG]

New Delhi, the 17th February 1951

S.R.O. 241.—In exercise of the power conferred by Section 146 of the Indian Railways Act, 1890 (IX of 1890), the Central Government hereby extends the whole of the said Act, except Section 135 thereof, to the Joravarnagar-Sayla Tramway.

[No. 642-TG.]

S. S. RAMASUBBAN, Secy.

MINISTRY OF WORKS, PRODUCTION AND SUPPLY

New Delhi, the 13th February 1951

S.R.O. 242.—In exercise of the powers conferred by sub-section (3) of section 3 of the Coal Mines Safety (Stowing) Act, 1939 (XIX of 1939), the Central Government, on the recommendation of the Indian Mining Association, hereby nominates Mr. W. M. Burch of Messrs. Macneill & Barry Ltd., Calcutta, as member of the Coal Mines Stowing Board, vice Mr. L. J. Barraclough, resigned.

[No. M-8]

N. P. DUBE, Under Secy.

MINISTRY OF LABOUR

New Delhi, the 14th February 1951

S.R.O. 243.—In exercise of the powers conferred by section 14 of the Industrial Employment (Standing Orders) Act, 1946 (XX of 1946), the Central Government is pleased to exempt the Chittaranjan Loco Works from the provisions of the said Act.

[LR. 11(111).]

S. NEELAKANTAM, Dy. Secy.

New Delhi, the 15th February 1951.

S.R.O. 244.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947) the Central Government is pleased to publish the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between certain collieries in West Bengal and their workmen in respect of the rates of wages of time-rated trammers.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

REFERENCE No. 2 OF 1950.

Parties:

The management of the collieries—

- (1) Pit Sitalpur, (2) Chinakuri, (3) Poidih, (4) Perbeha, (5) Bank Simulia, 7, 8, 11 and 12 pits, (6) Seebpur, (7) Pretoria, (8) Girmitt, (9) Damra, (10) Ena, (11) Chanch, (12) Sodeput 9 and 10 pits and (13) Laikidih Deep.

versus.

Their respective workmen.

PRESENT:

Shri S. P. Varma, Barrister-at-Law, Chairman.

APPEARANCES FOR THE MANAGEMENT:

Shri K. B. Bose, Barrister-at-Law, along with Mr. William James Jameson, Chief Personnel Officer, Bengal Coal Co. Ltd.

FOR THE WORKMEN:

Shri H. K. Sanyal, Advocate, Shri Sushil Kumar Rudra, M.A., B.L., along with Shri Deven Sen, Colliery Mazdoor Congress, Shri Kanti Mehta, General Secretary, Indian National Coalmine Workers Federation and Shri B. P. Jha, Vice-President, Colliery Mazdoor Congress.

AWARD

By a Notification No. LR.2(279) dated the 4th July 1950 the industrial dispute between the management of the above mentioned collieries and their workmen was referred to this Tribunal in the following terms:

"Whereas an industrial dispute has arisen or is apprehended between the collieries of the Bengal Coal Company Limited mentioned in Schedule I annexed hereto and their workmen in respect of the matter specified in Schedule II hereto annexed;

And whereas the Central Government considers it desirable to refer the dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act 1947 (XIV of 1947) the Central Government is pleased to refer the said dispute for adjudication to the Central Government Industrial Tribunal, at Dhanbad, constituted under Section 7 of the said Act.

Collieries of the Bengal Coal Company Limited:—

SCHEDULE I

1. Pit Sitalpur, 2. Chinakuri, 3. Poidih, 4. Perbeha, 5. Bank Simulia 7, 8, 11 and 12 pits, 6. Seebpur, 7. Pretoria, 8. Girmitt, 9. Damra, 10. Ena, 11. Chanch, 12. Sodeput 9 and 10 pits, 13. Laikidih Deep.

SCHEDULE II

Having regard to the recommendations of the Board of Conciliation (Colliery Disputes) published with the Ministry of Labour Resolution No. LR.2(103) dated the 12th May 1947 and the "Joshi" Agreement dated the 29th February 1948, what

rates of basic wages should be paid to time rated trammers and from what date should be rates be given effect to."

2. It will appear from the above Notification that in the first paragraph **Bengal Coal Company Ltd** is mentioned as being the owner of the collieries mentioned in Schedule I of the Notification. 13 collieries are mentioned. Schedule II refers to the nature of the dispute. This notification was received by this Tribunal on 31st July 1950. The usual notices were issued to the parties on 16th August 1950. On 21st August 1950 some other persons applied to be made parties to the dispute. They were informed that their application would be considered on the first date fixed for hearing. The Union's statement of claim was received on 8th September 1950 after they had been allowed some time. The management filed their statement on 5th October 1950, and the date fixed for hearing was 12th October 1950. Shri Sharma, President, Chanch Chirkunda Coal Workers' Union put in his written statement and they were made parties on 2nd of November 1950. The management filed its written statement in reply to Shri Sharma's written statement on 3rd November 1950. The actual hearing of the case was taken up on 4th November, and some days were taken in order to mark the exhibits and verify certain documents. One of the points that was urged in the case was that the Bengal Coal Company Limited which was mentioned in the first Notification dated 4th July has nothing to do with Seebpur, Pretoria, Damra, Ena and Laikidih Deep collieries. When I was getting on with the award I received a copy of a letter sent by the Regional Labour Commissioner (Central), Dhanbad, to the Government of India, Ministry of Labour, for a fresh notification which should include the collieries not under the Bengal Coal Company Ltd. The amended notification dated the 21st November 1950 reached this Tribunal on 2nd December 1950 and the usual notices were sent to the parties on 2nd December. The amendment deleted the words "the Collieries of the Bengal Coal Company Ltd." in the first paragraph and substituted "the managements of the Collieries" in its place and in Schedule I the words "Collieries of the Bengal Coal Company" were deleted.

3. In their written statement the workmen referred to the findings of the Conciliation Board's award which runs as follows:—

"(1) that the minor, trolleyman and wagon loader call for preferential treatment in view of the strenuous nature of their employment often under trying conditions. For these categories, therefore, we recommend an increase in their 1939 basic wage of 50 per cent.

(2) For all categories including the above we recommend a further increase in dearness allowance of 50 per cent. making 150 per cent. in all, above 1939 basic wages."

4. The statement points out that these conclusions covered all cases of time-rated and piece-rated workmen and that the said Conciliation Board further came to the finding that the minimum basic wage for a time-rated worker should not be less than As. 8 per day and that the basic wage of the above categories of workers should be As. 12 per day. They also pointed out that the employers did not honour the recommendations of the Conciliation Board's Award and therefore the then Chief Labour Commissioner (Central), Shri S. C. Joshi brought about an agreement between the parties regarding certain matters on 29th February 1948. The relevant portion of the agreement has been quoted in the written statement and it is in the following terms:—

"The trammers (Trolleyman) on daily rates of wages should get an increase of 25 per cent. in their present basic wage where it does not exceed 10 annas per day.

In collieries, however, where an increase in the basic rate of 1939 has already been granted in excess of 25 per cent after May 12, 1947, the new basic rate was thus arrived at should not be reduced."

The terms of the said agreement were to come into effect from 1st March 1948."

5. It is further pointed out that the time-rated trammers whether working underground or on the surface in Pits 7 and 8 of Bank Simulia Colliery had been getting As. 10 per day as their basic wages from the year 1939. It is said that that being the case if the Conciliation Board's Award were followed their basic wages ought to have been raised to As. 15 per day and even according to the Joshi Agreement it should have been raised to As. 12-6 per day. But the Bank Simulia Colliery did not carry out its part of the contract. Therefore on 17th January 1950 the workers served a strike notice through the Colliery Mazdoor Congress, Asansol, making certain demands. One of the demands was

with regard to the wages payable to the trammers. The matter came up before the Regional Labour Commissioner (Central) on 8th February 1950 and during the proceeding, the written statement says—

“the said colliery alleged that prior to the 12th May 1947 the basic wages for time-rated underground trammers were As. 9 per day and those for time rated surface trammers were As. 8 per day; and that these wages had been increased to As. 10 per day retrospectively from the 1st of March 1948.”

Then there is the complaint of non-production of certain papers, for example, pay register of the management. In support of their statement they went on to say that assuming that it was As. 9 per day, the basic wage for time-rated underground trammers ought to have been increased to As. 11-3 per day. From this the workmen conclude that there was a breach of the agreement by the management. They further urge that other collieries of the management did not implement the agreement. The workmen also argue that as there was a breach of the agreement they were not bound by it and therefore they claim that the original recommendation made by the Conciliation Board's Award of 50 per cent. increase both in the basic wages as well as the dearness allowance from 12th May 1947. Their prayer consists of four parts:

“(1) That the increase in the basic wages should be 50 per cent., (2) that the increase should be given retrospectively from 12th May 1947, (3) that the collieries be asked to pay time-rated trammers the balance of wages due at such increased rates together with the balance of proportionate increase in D/A from the 12th May 1947, till the date of the award within a reasonable time, (4) for such further or other reliefs as the nature of the case may require.”

6. The written statement filed on behalf of the workers through Shri Ramnarain Sharma, President of the Chanch Chirkunda Colliery Workers Union and the Perbalia Labour Union, is very much on the same lines as that of the written statement referred to above. The President of the Chanch Chirkunda Colliery Workers Union points out in his statement that he did not sign the Joshi Agreement as he thought that it would be against the interest of the workers. They want that in the case of time-rated trammers they should get 50 per cent. increment over 1939 basic wages which in no case should be less than As. 8 per day. They further pray that it should take effect from 12th May 1947. It appears from a list filed by Shri Jha, Vice President of the Colliery Mazdoor Congress, Asansol, that the number of trammers in the collieries concerned is about 2,242.

7. On the question as to what the trammers were getting before 1939 and as also what they were getting on 12th May 1947, the date of the Conciliation Board's Award, the workmen examined Bhatu Mian a trammer Sirdar and he said that trammer gets Rs. 1-9-0 a day and before the war he was getting As. 9 a day. But he does not remember how long ago. As to when he started getting Rs. 1-9-0 that also he does not remember. He says that before the war he was getting As. 9 but after the war he was getting Rs. 1-9-0. In answer to the question by the Tribunal he could not say how the amount Rs. 1-9-0 was made up. He does not know what he was getting during the war.

8. The next witness that was examined by the workmen was Shafat Hussain. He is a labour contractor for trammers, drillers and C. P. miners. He says before war the trammers were getting As. -/9/- a day but at present they were getting Rs. 1-9-0 to Rs. 1-15-6. How the Rs. 1-9-0 was made up he cannot say. This figure was to time-rated workers. The contract for supply of contract labour was cancelled in January 1950. When asked in cross-examination as to what Ali Mohd., Nand Lal and Babu Lal were getting he said that they were getting As. -/9/- and not As. -/8/-. Shafat Hussain has never worked as a trammer himself. In this connection the management showed the Hazree book of 1945 showing that Ali Mohd. was getting As. -/9/- as a Clip Man. The man has never worked as a trammer himself.

9. The next witness Kamar Ali says that he is getting Rs. 1-9-0 plus As. 0-6-6 as attendance bonus making a total of Rs. 1-15-6. But he says that he was formerly getting As. -/9/- but he cannot fix the time when he was getting As. -/9/-. About Rs. 1-9-0 he gives the explanation that it is made up of As. -/10/- as basic wage and As. -/15/- as dearness allowance over that basic wage. He says that Babu Lal, Nand Lal and Ali Mohd. were in 7 and 8 pits and they were on daily rated list. While dealing with the matter in question the oral evidence of this nature is not very safe to act upon. I have given the synopsis of the evidence to show that their memories cannot always be trusted. They may be telling the truth but to arrive as to what their basic wages were, something in the shape of documentary evidence would have been more useful.

10. The management, on the other hand, examined Bindeswari Singh, Senior Overman, 7 & 8 pits of Bank Simulia colliery, Raj Balli Misra, Sodepur No. 10 pit, A. R. Chattopadhyaya, a clerk, Bissessar Misra and William James Jameson, Chief Personnel Officer of the Bengal Coal Company Limited.

Bindeswari Singh.—He is a Senior Overman of the Bank Simulia colliery pits 7 and 8. He says that at first the time-rated workers were getting As. -/8- and they now get Rs. 1-9-0 from 1948.

Raj Balli Misra.—He belongs to Sodepur Pit No. 10. According to him the time-rated workers at surface get As. -/6/- to As. 0-6-6 and in underground the workers get As. -/7/- to As. 0-7-6 or As. -/8/- His evidence is hearsay. He also says that at present they are getting As. -/10/- perhaps. He is the President of the Sodepur Union and a Gumashta in charge of labour.

Amulya Ratan Chattopadhyaya.—He produces February 1939 cash book. He showed at page 126 of that cash book that the time-rated underground workers were getting As. -/7/- per day. The writing is of course by one Fakir Chand Murdha. But he recognises the handwriting. He proved Ex. A2 and A3 of this case. These are for February 1939. He used to write 1947 Hazree book and the entry for the week-ending 14-5-1947 was written by him. He also said that underground trammers were getting As. -/8/- and proved Ex. A4 of this case. He says further that the thumb impressions of recipients were given in his presence. He proves Ex. A5 showing that the surface trammers were getting As. 0-6-6. In cross-examination he says that payments were not made in his presence. The surface Khata (book) is different from the Khata for the underground workers.

Bissessar Misra.—He supports the statement of the witness Amulya Ratan Chattopadhyaya that there are two separate books for the two type of workers—surface and underground. The surface book for 1947 was not found in spite of search. After looking at the register he says he did not find the names of the surface trammers in the entries of week-ending 14-5-1947. He did not produce any books before the Regional Labour Commissioner (Central), Dhanbad.

Mr. William James Jameson.—He is a very important witness for the management. He is the Chief Personnel Officer of the Bengal Coal Company Limited. He says that there was a Conciliation Board Award in August 1947 when the trammers complained that they were put on a level with hazree workers. Shri Joshi, then the Chief Labour Commissioner to the Government of India called a meeting in February 1948, and the result was the agreement called "Joshi Agreement". On January 17, 1950, there was a strike notice by the workmen of 7 and 8 pits of Bank Simulia colliery. He was before the Conciliation Officer and no books of 1939 were called for. He refers especially to demand No. 2 of the strike notice (Ex. B of the Tribunal) in which it was said that the workers were deprived of their living wages according to Joshi Agreement. He proves Ex. B, the strike notice of the Union concerned dated 17-1-1950. In cross-examination a very significant question was put to him and he answered in a very straight-forward manner. The question and answer are as follows:

Q. Were the trammers getting As. 9 immediately before the Joshi Agreement?

A. The underground trammers were given As. -/9/- under the orders of the Chief Mining Engineer of the management shortly after the Conciliation Board's Award due to the agitation from the workers. On 3rd November 1950 he added that this was given as an interim measure. His first statement was on 2-11-1950. This additional statement was objected to by Shri Deven Sen. of the Colliery Mazdoor Congress.

11. On the 4th November 1950 the parties suggested the following issues:

1. Do the following collieries, viz.,

(1) Seebpore Colliery; (2) Pretoria Colliery; (3) Damra Colliery; (4) Ena Colliery and (5) Lalkidh Colliery, belong to Bengal Coal Co. Ltd., if nay, is the order of reference applicable to the said collieries?

2. Is the reference maintainable and/or valid in respect of the following collieries:

(1) Sitalpur 4 pit colliery; (2) Chinakuri Colliery; (3) Poldih Colliery; (4) Girimint Colliery; (5) Chanch Colliery and (6) Sodepore 9 and 10 pits colliery.

3. What were the basic wages for time rated surface and underground trammers of Bank Simulia colliery pits 7 and 8 in 1939 and prior to 12th May 1947 respectively?

4. Is the basic wage of As. 10 paid by the management after March 1948 to its trammers, equivalent to 1939 basic wage plus 25 per cent. or basic wages prior to 12th May 1947 plus 25 per cent., if nay, to what relief are the workers entitled?

12. From the enumeration of the facts in the beginning of this award and the subsequent amendment of the Government Notification, it will be clear that some of the issues then suggested have become redundant.

13. I will take the issues in order, and deal with them, as well as with some important points, which arise in the course of the discussion about the merits of the case.

14. *Issue No. 1.*—This issue has become redundant because after the Notification by the Government, the case that I have to deal with is with regard to the management of the various collieries mentioned in Schedule I and not the proprietors of those collieries. Therefore I am of opinion that the reference is applicable to the collieries mentioned in Schedule I of the Government Notification.

15. *Issue No. 2.*—With regard to this issue the chief point that has been raised is, as it has been done in many other cases, that there is no apprehension of a dispute as contemplated by Section 10 of the Industrial Disputes Act 1947 (XIV of 1947), because the only colliery workers who served a strike notice were of Bank Simulia pits 7 and 8. I have gone through the record of the Conciliation proceedings before the Regional Labour Commissioner (Central), Dhanbad, and from that I find that although originally the report was with regard to this particular colliery, the Chief Labour Commissioner to the Government of India in his letter No. CLC/Con-11(13)/50, dated 15th April 1950 wanted to know whether similar disputes existed and also enquired whether all these collieries should be included in the Reference to the Industrial Tribunal. Upon this the Regional Labour Commissioner in his letter dated 26th April 1950 to Chief Labour Commissioner gave a list of collieries where the dispute about wages existed and then these collieries mentioned in the Schedule were included in the Government Notification. I therefore see no force in the argument that the Reference is incompetent with regard to collieries besides Bank Simulia colliery. I decide the issue accordingly.

16. *Issues 3 and 4.*—These issues overlap each other. In short the main contention between the parties boils down to this. What rates of basic wages should be paid to the time-rated trammers and from what date should the rates be given effect to. This should be fixed in the light of the Conciliation Board's Award (Colliery Dispute) which has been published under the Ministry of Labour Resolution No. LR.2(103), dated 12th May 1947 and the Joshi Agreement dated 29th February 1948. So the first thing we have to consider is how far the Conciliation Board's Award is affected by the Joshi Agreement. In this connection one will have to look to the basic wages that were being paid near about the time of the Conciliation Board's Award as well as the Joshi Agreement.

17. One of the lines of argument is that the Joshi Agreement could not in any way affect the Conciliation Board's Award and therefore the Joshi Agreement should not be acted upon and also because it was not implemented by the management of the various collieries mentioned in the Notification. Thus emphasis on the ineffectiveness of the Joshi Agreement is clearly due to the fact that whereas the Conciliation Board's Award suggested an increase of 50 per cent. on the basic wages of 1939, the Joshi Agreement talks of 25 per cent. increment on the basic wages. The relevant portion in the Conciliation Board's Award is to be found at page 444, paragraph 17(2) and sub-paragraphs (1) and (2). It will be noticed that in this the increase of 50 per cent. is upon the 1939 basic wage with regard to the trolley-men or trammers. As against this Shri Bose appearing for the management has drawn the attention of this Tribunal to the Government Resolution of 12th May 1947 at page 431 of the *Gazette of India Extraordinary* to show that the increase according to that Resolution was for piece-rated workers and not for time-rated workers. With regard to time-rated workers Shri Bose pointed out that the minimum is mentioned as As. 8 (eight) per day. He also pointed out in that paragraph to the passage which says,

"Rates for other analogous categories of colliery workers should be where necessary, adjusted so as to accord with the general wage level indicated by the Board."

There seems to be a certain amount of force in the argument advanced by Shri Bose that the Government Resolution on the Conciliation Board's Award to a certain extent draws some distinction between piece-rated workers and time-rated workers. Here we are dealing with the time-rated workers. This and certain other conclusions arrived at by the C.B. Award needed clarification and

that is why the then Chief Labour Commissioner Shri Joshi met the parties and drew up a document which was signed by the representatives of the contesting parties and it is known as the Joshi Agreement.

18. The preamble to this agreement runs as follows:

"Certain questions of interpretation of the Report of the Board of Conciliation were discussed by the Chief Labour Commissioner with the representatives of the I.M.A., I.M.F., and the I.C.O.A., on the one hand and those of labour on the other. An agreement was reached between the parties. The terms thereof are as under."

The relevant portion is paragraph 2 of that Agreement which runs as follows:

"2. The trammers (Trolley-men) on daily rates of wages should get an increase of 25 per cent. in their present basic wage where it does not exceed 10 annas per day.

In collieries, however, where an increase in the basic rate of 1939 has already been granted in excess of 25 per cent. after May 12, 1947, the new basic wage thus arrived at should not be reduced."

19. It will appear from the above that the second part of this paragraph is to protect workers who have already got an increase in their basic wages beyond 25 per cent. mentioned in the first part of the paragraph. In the first paragraph the expression "their present basic wage" is significant and evidently it refers to the time immediately before the date of the agreement. The arguments that have been advanced against this agreement, I have mentioned to a certain extent. There is another line of argument against this agreement and that is that at least one of the representatives of the workers Shri R. N. Sharma who was present at the time of the discussions did not sign the agreement, because he thought that it was not fair to the workers. He was examined before this Tribunal and he speaks to the same effect. Against this Shri Bose appearing for the management has pointed out that after all the representative of the workers at least two persons Shri B. P. Sinha and Shri J. Panday signed this document. He further pointed out that even if Shri Sharma did not sign this agreement the workers have accepted it and even if there has been a breach of the agreement by the management this breach has not been accepted as will be evident from the strike notice served by the workmen in this case where the second item of the demand runs as follows:

"Trammers are deprived of their living wages according to Joshi Agreement."

20. In view of all these considerations I am of opinion that the Joshi Agreement is not a nullity and when the workers are claiming under it, it is not without any effect. There is one thing more that may be mentioned and that is a reference to the statement filed by the workmen. Looking at the statement of the workers I am of opinion that they are not unanimous in their condemnation of the Joshi Agreement. Shri Kanti Mehta and Shri Sharma had insisted upon having what was granted by the Conciliation Board Award but in the statement signed by Shri B. P. Jha, Vice-President, Colliery Mazdoor Congress, dated 11th December 1950 I find two paragraphs. They are paragraphs 12 and 18 of that statement which run as follows:

"12. The workmen submit that on a proper interpretation of the terms of the aforesaid agreement dated the 29th February 1948, all trammers (Trolley-men) whose basic wages were not in excess of 10 annas per day, i.e., to say all trammers (trolley-men) getting basic wages up to 10 annas per day on the date of the said agreement should have got an increase of 25 per cent. in their wages on and from the 1st of March 1948.

18. In any event all the time-rated trammers getting basic wages up to 10 annas per day on the date of the aforesaid agreement brought about by Shri S. C. Joshi are entitled to an increase of 25 per cent. in their wages on and from the 1st of March 1948."

21. From the above it will be clear that the argument against the management attitude is firstly that the Conciliation Board's Award should not be replaced by the Joshi Agreement. Secondly that the Joshi Agreement itself has not been implemented and therefore even if it is not set aside the workers should get their wages according to the recommendations of the Joshi Agreement. After taking all these matters into consideration, I am of opinion that the Joshi Agreement cannot be declared a nullity. If it is not a nullity it is not necessary to go into the details of rates of payment to trammers at the time of C. B. Award.

22. The next question to be considered is what was the rate of wages of time-rated work rs at the time of Joshi Agreement. On this point the oral evidence as well as the various papers filed by the employers show some light. I have managed to go through the various pieces of documentary evidence placed before me and I attach a synopsis of the various documents placed before me as Appendix A, to this award. So far as the oral evidence is concerned as it often happens in such cases, each party tries to build up its own case. But it is clear from the evidence of Mr Jameson of the management that As 9 per day was paid after the Conciliation Board's Award. He did add certainly that it was an interim measure but the fact remains that the amount paid was As 9 and not anything less. He has given the date as to when As 9 was given and therefore his evidence supported to a great extent as it is by various documents produced in this case, may safely be accepted. In the light of this piece of evidence it is not necessary to discuss the other witnesses examined by the management whose synopsis of statement I have given earlier in this award.

23. From the above it is clear that near about the Joshi Agreement the amount of wages paid to time-rated underground trammers was As 9. If that was so the increment should be by 25 per cent that is to say Annas 11 and pies three (As 11-3). The total will come to Rs 1-11-7½ to be exact. The nearest round figure will be Rs 1-11-8. This should be paid to the underground trammers. A distinction may have to be drawn between the surface time-rated workers and the workers underground, although Shri Deven Sen on behalf of the workmen argued to the contrary. But the Searoll agreement (exhibit C) to which he was a party did draw a distinction between surface and underground trammers. I would maintain the rates paid by the management to the surface workers. Paragraph 16 of the statement filed by Shri Jha Vice-President Colliery Mazdoor Congress on 8th September 1950 is also important and it runs as follows:

"16 Even assuming, but not admitting that the basic wages for time-rated underground trammers were As 9 per day the same should have been increased to -/11/3 pies per day

24. Before taking up the next item I should mention that the management through their learned counsel made an offer that they were prepared to pay one anna over the total emoluments of the trammers but the representatives of the workers refused that offer.

25. The next question is the date from which this increment is to be given effect to. The management says that most of the papers are mislaid and it will be a case of great hardship if this increment is to be given effect to from 1st March 1948. There is some force in that and I would therefore give the increment from six months previous to the date of the coming into force of this award.

I am relying on the observations of the Bank's Tribunal award published at page 241, paragraph 161 published in the *Gazette of India* dated 12th August 1950. Only those people who are in service of the management will be entitled to get the benefits of this award and the payments should be made within three months from the date of coming into force of this award.

I, therefore, give my award in terms aforesaid.

APPENDIX "A"

Tabulated Statement of Rates

Colliery		1939	PRE CBA 12 5 47	Pending Joshi Agreement	After Joshi Agreement
Sitalpur	Surface		0 7 6	0 8 6	0 10 0
	Underground		0 8 6	0 9 0	
Sodepur	Surface	0 6 0	0 6 0	0 8 0	0 10 0
	U/G	0 7 6	0 8 0	0 9 0	0 10 0
Chinakuri	Surface		0 7 0	0 8 0	0 10 0
	U/G		0 8 0	0 9 0	0 10 0

Colliery	1939	PRM-CBA 12-5-47	Pending Joshi Agreement	After Joshi Agreement
Chanch Surface	Surface trammers came into time rates from January, 1949,			0 10 0
	U/G.	Piece rate		
Banksimulia 7 & 8 Pits Surface	0 7 0	0 8 0 (1943)
	U/G.	0 7 0	0 9 0	0 10 0
Parbelia Surface	0 7 0	0 7 0	..	0 10 0
	U/G.	0 8 0	..	0 10 0
Banksimulia 11 & 12 Pits Surface	0 6 0	6 6 6	0 8 0	0 10 0
	U/G.	0 6 6	0 9 0	0 10 0
Protoria Surface	0 6 0	0 8 0	0 8 0	0 10 0
	U/G.	0 6 6	0 9 0	0 10 0
Damra	Not opened	No time rated at all.	Time rate for few months in 1940.	
Laikidih Deep	New in 1939	In 1945 between March & August Under-ground at 0 7 0 Surface 0 6 0	No time rated men after 1945, all piece rated : From 1-10-49 Surface piece rated became time rated.	0 10 0
Ena Surface	time rated from 1950 at 0 10 0			
	Under ground-piece rated.			

S. P. VARMA, Chairman,
Central Government Industrial Tribunal,
Dhanbad

anbad, dated the 7th February 1951.

[No. I.R.2(279)]
N. C. KUPPUSWAMI, Under Secy.

New Delhi, the 16th February 1951

S.R.O. 245.—In exercise of the powers conferred by sub-sections (1) and (3) of section 37 of the Tea Districts Emigrant Labour Act, 1932 (XXII of 1932), the Central Government hereby directs that the following amendments shall be made in the Tea Districts Emigrant Labour Rules, 1933, namely:—

1. Rule 1 of the said Rules shall be renumbered as sub-rule (1) of that rule and after sub-rule (1) as so renumbered the following shall be inserted:—

“(2) They extend to all Part A States and the Part C States of Ajmer, Coorg, Delhi and Vindhya Pradesh.”

[No. A.L.136/EMC(6).]
SADASHIVA PRASAD, Dy. Secy.